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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. SA CR 98-00143 DDP (2)
)	
Plaintiff,)	ORDER RE MOTION TO REDUCE
)	SENTENCE
v.)	
)	[DOCKET NUMBER 758]
JAVIER PONCE CASTELLON,)	
)	
Defendant.)	
)	
)	

Defendant has moved pro se pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 782 to the United States Sentencing Guidelines to have his sentence reduced. Defendant's motion fails because he received a sentence at the low end of his post-Amendment 782 Guidelines range. See *United States v. Davis*, 739 F.3d 1222, 1224-26 (9th Cir. 2014) (holding that USSG § 1B1.10(b) "prohibits a court from reducing a defendant's sentence to a term that is less than the minimum of the amended guidelines range, except in the case of a defendant who originally received a below-guidelines sentence based on substantial assistance to the government," and rejecting various legal challenges to the prohibition); see also

1 United States v. Tercero, 734 F.3d 979, 981-84 (9th Cir. 2013)
2 (similar). Accordingly, Defendant's motion is DENIED.

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4 IT IS SO ORDERED.

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7 Dated: May 10, 2016



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DEAN D. PREGERSON
United States District Judge

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